

27.07.2021
Item no. 43
Court No.32.
S.De.(a)
(rejected)

(Via Video Conference)

CRM 3842 of 2021

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure filed on 28.05.2021 in connection with Gazole Police Station Case No. 447 of 2019 Dated 21.09.2019 under Sections 448/326/307 and the added Section 302 of the Indian Penal Code.

And

In the matter of : Jai Chand Munda.

.....Petitioner.

Mr. Jakir Hossain, Advocate,

.....for the Petitioner.

Mr. Swapan Banerjee, Advocate,
Mr. Suman De, Advocate,

.....for the State.

Initially the petitioner was charged with commission of offence punishable under Sections 448, 326 and 307 of the Indian Penal Code. Subsequently, Section 302 of the Indian Penal Code has been added.

Learned advocate for the petitioner says that he has been languishing in jail for almost 700 days. The trial has not yet commenced. He prays for bail.

Learned advocate for the State submits that the charge has been framed. 24th May, 2021 was fixed as the date for

evidence. The trial has begun. Further, with reference to the material in the case diary, he submitted that there are eyewitnesses and their statements are on record. The offending weapon was recovered from the petitioner. He opposes the prayer for bail.

Having considered the material on record and the gravity and nature of the offence that the petitioner has been charged with, and also in view of the fact that the trial has begun, we are of the view that the petitioner may not be enlarged on bail at this stage. It is expected that the trial court shall proceed with the case as speedily as the business of the court may permit.

C.R.M. 3842 of 2021 is, accordingly, dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)